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BASEL CONVENTION

Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
Twelfth meeting
Geneva, 4–15 May 2015
Item 4 (a) (i) of the provisional agenda*
Matters related to the implementation of the Convention: strategic issues: follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention

Follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention

Report on the activities and the draft work programme of the expert working group on environmentally sound management

Note by the Secretariat

1. In its decision BC-11/1 on follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal decided to mandate an expert working group to further elaborate and implement actions with respect to environmentally sound management. Furthermore, it requested the group to report on its activities and to submit its work programme to the Conference of the Parties for consideration and possible adoption at its twelfth meeting.

2. As referred to in the note by the Secretariat on follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention (UNEP/CHW.12/3), a report on activities and a draft work programme developed by the expert working group following three face-to-face meetings and intersessional work is set out in the annex to the present note.

* UNEP/CHW.12/1.

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Annex

Report on the activities and draft work programme of the expert working group on environmentally sound management

I. Mandate of the expert working group

1. In decision BC-11/1, the Conference of the Parties adopted the framework for the environmentally sound management of hazardous wastes and other wastes. In the same decision, the Conference of the Parties decided to mandate an expert working group to further elaborate and implement actions on initial short-term work items as listed in annex II to the decision, within available resources, and to develop a work programme for additional priorities and key work items and actions for the implementation of environmentally sound management. The expert working group was also requested to report on its activities and to submit its work programme to the Open-ended Working Group for consideration at its ninth meeting and subsequently to the Conference of the Parties for consideration and possible adoption at its twelfth meeting.

II. Terms of reference

2. Annex II to decision BC-11/1 sets out the terms of reference for the expert working group on the framework for the environmentally sound management of hazardous wastes and other wastes. In paragraph 1 of the terms of reference, the group is requested to develop and implement actions on initial short-term work items identified as follows:

(a) Collection of available information on national and other environmentally sound management standards and practices;

(b) Identify environmentally sound management elements and develop practical guidance in the context of relevant national systems and structures, on certain waste streams (to be decided by the expert working group);

(c) Develop generic guidance on how to establish environmentally sound management;

(d) Assess existing useful training and information material on policies, legislation and best practices on environmentally sound management;

(e) Assess possible incentives to encourage the private sector to invest in environmentally sound management.

3. In paragraph 2 of the terms of reference, the group is requested to develop a work programme for additional priorities and key work items for implementation of environmentally sound management. Priority areas are to include:

(a) How to ensure consistent interpretation of environmentally sound management;

(b) Encouraging parties to develop and implement comprehensive strategies and legislation;

(c) Encouraging the private sector to implement and invest in environmentally sound management;

(d) Ensuring that hazardous waste and other waste that is subject to transboundary movement is managed in an environmentally sound manner.

III. Membership

4. Pursuant to decision BC-11/1, each regional group of the United Nations nominated, through their respective Bureau members, five members with specific knowledge and expertise in the field. The list of the 25 members of the expert working group is available on the Basel Convention website.[1]

[1] http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/MembersoftheEWG/tabid/3626/Default.aspx.

IV. Meetings

5. The expert working group first met via teleconference in October 2013 and decided at that time to initiate work by electronic means in three sub-groups: the first, to consider the development of a draft work programme for additional priorities and key work items and actions for the implementation of environmentally sound management; the second, to consider the key topical areas of environmentally sound management for which brief, practical manuals might be developed (e.g. on general rules, legislation, certification schemes); and the third to consider the development of pilot projects to demonstrate environmentally sound management.

6. The expert working group held its first face-to-face meeting in Buenos Aires, Argentina, from 10 to 12 December 2013. The meeting, which was attended by 18 members and 9 observers, considered the work of the three sub-groups formed intersessionally and discussed short-term, priority actions to be implemented by the group. These included:

(a) Selection of three pilot projects for implementation by certain members of the group with Secretariat support;

(b) Development of practical guidance manuals on key topical areas of environmentally sound management (to be undertaken by the expert working group);

(c) Development of fact sheets for specific waste streams (to be undertaken by a consultant);

(d) Gathering information on existing training and information materials on environmentally sound management (to be undertaken by a consultant);

(e) Collection of ideas on incentivizing the private sector to invest in and implement environmentally sound management (to be led by a member and private sector observers).

The group also commenced development of a draft work programme for the longer term (COP 12 and beyond). The documents and meeting report from the first meeting of the expert working group are available on the Basel Convention website.[2]

7. The expert working group continued its work intersessionally via electronic means and met in Jakarta, Indonesia, from 29 to 31 May 2014 to consider these outputs. At its second meeting, which was attended by 21 members and 15 observers, the expert working group further developed its work on initial short-term work items and its draft work programme. The documents and meeting report from the second meeting of the expert working group are available on the Basel Convention website.[3]

8. Following further intersessional work, the group met for a third time in Konstanz, Germany, from 21 to 23 January 2015. During this meeting, which was attended by 23 members and 16 observers, the group progressed its work on initial short-term work items, developed a report of its activities and finalized its draft work programme for submission to the Conference of the Parties for consideration and possible adoption at its twelfth meeting. The documents and meeting report from the third meeting of the expert working group are available on the Basel Convention website.[4]

9. Section V of the present document provides a summary of the status of initial short-term activities of the expert working group immediately following its third meeting and Section VI introduces the draft work programme developed by the group.

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[2] http://www.basel.int/Implementation/LegalMatters/CountryLedInitiative/Meetings/FirstmeetingoftheExpertWorkingGrouponESM/tabid/3532/mctl/ViewDetails/EventModID/8495/EventID/440/xmid/11167/Default.aspx.

[3] http://www.basel.int/Implementation/CountryLedInitiative/Meetings/SecondmeetingoftheExpertWorkingGrouponESM/tabid/3710/mctl/ViewDetails/EventModID/8495/EventID/498/xmid/11706/Default.aspx.

[4] http://www.basel.int/Implementation/CountryLedInitiative/Meetings/ThirdmeetingoftheExpertWorkingGrouponESM/Overview/tabid/4192/mctl/ViewDetails/EventModID/8495/EventID/537/xmid/12846/Default.aspx.

V. Summary of activities

Activity	Mandate (Decision BC-11/1)	Responsibility / Involvement	Status of activity	Reference
I. Initial short-term work items				
i. Implementation of pilot projects				
Assessing if notifications, consents, inspections and enforcement of transboundary movement of waste and take-back procedures for illegal traffic represent environmentally sound management (funded by Switzerland)	Annex II, paragraph 1	Participating countries (Madagascar and Tanzania); Steering group on pilot projects; Secretariat; Consultant; Relevant Basel Convention Regional Centres	Project to be finalised in January / February 2015	A progress report on the project was presented to the third meeting of the expert working group and is available in document UNEP/CHW/CLI_EWG.3/INF/10
Assessing the Status of E-waste Recycling in Selected Countries in the Asia-Pacific Region and Facilitating the Environmentally Sound Management of E-waste (funded by Norway)	Annex II, paragraph 1	BCRC-China; participating countries; Secretariat	Early 2015	A progress report on the project was presented to the third meeting of the expert working group and is available in document UNEP/CHW/CLI_EWG.3/INF/10
Assessing the status of ESM of hazardous wastes and other wastes, including waste electrical and electronic equipment, in Central America (funded by Japan)	Annex II, paragraph 1	BCRC-CAM; participating countries; Secretariat	January 2015	A progress report on the project was presented to the third meeting of the expert working group and is available in document UNEP/CHW/CLI_EWG.3/INF/10
Assessing if insurance, bond or other guarantees required by Article 6 paragraph 11 of the Basel Convention for a transboundary movement ensures the ESM of the hazardous wastes involved (funded by Switzerland)	Annex II, paragraph 1	BCRC Argentina; participating countries; Steering group on pilot projects; Secretariat; Other Basel Convention subsidiary bodies	Project selected by the third meeting of the expert working group for implementation. Implementation to commence in March 2015	The proposal for this project was presented to the third meeting of the expert working group and is available in document UNEP/CHW/CLI_EWG.3/INF/11
Assessing ESM status of ULAB Treatment and Transboundary movement in China and selected countries (funded by Switzerland)	Annex II, paragraph 1	BCRC China; participating countries; Steering group on pilot projects; Secretariat	Project selected by the third meeting of the expert working group for implementation. Implementation to commence in March 2015	The proposal for this project was presented to the third meeting of the expert working group and is available in document UNEP/CHW/CLI_EWG.3/INF/11

Activity	Mandate (Decision BC-11/1)	Responsibility / Involvement	Status of activity	Reference
ii. Development of practical manuals				
Terminology General policies and legislation Permits and licences Certification schemes Prevention	Annex II, paragraph 1, bullet points 1 and 3	Expert working group; Secretariat	Draft manuals finalised at third meeting of expert working group and submitted to COP 12 for its consideration	Draft manuals are available in document UNEP/CHW.12/3/Add.2
Insurance and liability	As above	Expert working group; Secretariat	Draft manual is yet to be finalised by the expert working group	A draft was submitted to the third meeting of the expert working group in document UNEP/CHW/CLI_EWG.3/INF/7
iii. Development of waste stream fact sheets				
Fact sheets on certain waste streams	Annex II, paragraph 1, bullet point 2	Secretariat; Small group on waste stream fact sheets; Consultant	Waste stream fact sheets finalised following third meeting of expert working group and submitted to COP 12 for its consideration	Waste stream fact sheets are available in document UNEP/CHW.12/INF/6
iv. Compilation of training and information material on ESM				
Compilation of training and information material on Environmentally Sound Management	Annex II, paragraph 1, bullet point 4	Secretariat; Co-chairs of expert working group; Consultant	Report was finalised in July 2014 and its recommendations are included in the draft work programme of the expert working group	The compilation report is available on the Basel Convention website[5]
v. Compilation of information on private sector incentives				
Compilation of information on private sector incentives	Annex II, paragraph 1, bullet point 5	Selected members and observers of the expert working group	Report on private sector incentives finalised following third meeting of expert working group and submitted to COP 12 for its consideration	Report on private sector incentives is available in document UNEP/CHW.12/INF/6
II. Draft work programme				
Draft work programme for additional priorities and key work items	Annex II, paragraph 2	Expert working group	Draft work programme finalised at third meeting of expert working group and submitted to COP 12 for its consideration	Draft work programme is available in the appendix to this document

[5] http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/Overview/tabid/3615/Default.aspx.

VI. Draft work programme

10. The expert working group initially discussed its work programme at its first meeting in December 2013 and considered how it might be structured to address the priority areas indicated in paragraph 2 of Annex II to decision BC-11/1 (see Section II above). At that time, a compilation of suggested activities was developed by the group for consideration at its second meeting.[6] During discussions at its second meeting in May 2014, the group decided that the main focus of its work should be to develop a toolkit for environmentally sound management that might include guidance, training and other supportive materials. Activities could then be undertaken by a variety of stakeholders to support and promote the implementation of the environmentally sound management toolkit. The version of the draft programme developed by the expert working group at its second meeting[7] was transmitted to its third meeting for further development.

11. In January 2015, the expert working group met for a third time and further elaborated the ESM toolkit concept, through the inclusion of an overarching objective, activities to support its development and implementation and broad parameters for its evaluation.

12. The appendix to this report contains the draft work programme developed by the expert working group.

[6] Available in document UNEP/CHW/CLI_EWG.2/INF/13.

[7] Available in document UNEP/CHW/CLI_EWG.3/INF/13.

Appendix to the report on the activities and the draft work programme of the expert working group on environmentally sound management

Draft work programme of the expert working group

I. Objective

1. The work programme of the expert working group will support and implement the objectives of the Framework for the environmentally sound management of hazardous wastes and other wastes[8]. The work programme aims at developing an ESM toolkit which includes practical tools to be promoted and implemented by stakeholders. The ESM toolkit will be continuously developed and evaluated in order to improve its practicality.

II. ESM Toolkit and its promotion

2. The activities described below to develop and implement the ESM toolkit would be initiated in the 2016-2018 biennium and may continue over a longer term period.

Topic	Activities
Manuals and fact sheets	• Further develop existing manuals and factsheets as required following COP 12 • Test existing manuals as approved by COP e.g. through use in pilot projects, stakeholder/peer review • Develop and test further manuals (Extended Producer Responsibility (EPR); Financing systems)
Training programme models	• Identify training programmes and activities to test, raise awareness of and demonstrate toolkit
Internet portal	• Organise, with support from the Secretariat, webinars to raise awareness of toolkit and outcome of work of expert working group • Explore and engage possible partners to develop e-learning course on ESM • Collect information, best practices and experiences related to ESM, to be made available on the Basel Convention website
Guide for self-assessment of national capacity	• Develop draft guide for self-assessment and, with support from the Secretariat, engage interested parties to test draft guide • Report to COP 13 on the development and testing of the guide, as well as on any feedback received
Verification of ESM	• Assess existing certification schemes and technical guidelines to support ESM • Develop tools to promote core elements of ESM as detailed in the ESM Framework • Develop checklist and determine its use • Develop tool to evaluate use of the ESM toolkit
Analysis of benefits related to implementation of ESM	• Continue and expand work on private sector incentives, to include an analysis of benefits related to implementation of ESM • Consult with Open-ended Working Group on draft analysis of benefits and subsequently with COP 13, taking into account comments and any further information that may be provided at or following OEWG 10
Pilot projects	• Establish working structure/steering committee for pilot projects • Continue to implement pilot projects and encourage use of ESM toolkit in new pilot projects • Report on and evaluate pilot projects undertaken within the context of the expert working group

[8] Available on the Basel Convention website at: http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMFramework/tabid/3616/Default.aspx

Topic	Activities
Exchange of information and experiences	• Request and consider information on public-private partnerships that relate to ESM and the work of the expert working group, in particular, to the ESM toolkit • Develop and use a format to gather and exchange information and experiences related to ESM (e.g. through public-private partnerships, development of explanatory documents and case studies, secondments, etc.) • Make available information and experiences on the internet portal described above
Promotion of ESM in the informal sector	• Identify target audience • Collect information, and make this available on initiatives adopted by parties to promote ESM in the informal sector

III. Evaluation

3. The expert working group shall regularly review the effectiveness of its activities and the practical use of the ESM toolkit, using appropriate tools, and continually update the toolkit as may be needed. The expert working group shall report to the Conference of the Parties on the outcomes of its activities, including any gaps and needs it may have identified in relation to the linkage between ESM and TBM, and in relation to ESM and implementation of the Basel Convention.